

TWENTY-NINTH DAY

(Tuesday, March 9, 1965)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives
Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 454, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution Comprising the Territory contained within the Counties of Gregg, Rusk, Harrison and Panola, to be known as the "Sabine River Navigation District," for the purpose of promoting, constructing, maintaining and operating or to make practicable, promote, aid and encourage the construction, maintenance and operation of navigable canals or waterways and all navigational systems or facilities auxiliary thereto, using the natural bed and banks of the Sabine River in so

doing where practicable; authorizing said district to acquire, purchase, improve, extend, take over, construct, maintain, repair, operate, develop and regulate ports, levees, wharves, docks, locks, warehouses, grain elevators, dumping facilities, belt railways, lands and all other facilities or aids to navigation or aids consistent with or necessary to the operation or development of ports or waterways within said district; authorizing the acquisition of other properties and equipment; conferring the powers of eminent domain; providing for a board of directors for the government of said district; authorizing said district to borrow money for its corporate purpose; authorizing the issuance of revenue bonds and providing for the payment and security thereof; prescribing other powers and duties of the district; enacting other provisions related to the subject; providing a severability clause; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 472 by vote of 145 ayes, 0 noes.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk House of Representatives

Bill and Resolution Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

S. C. R. No. 17, Authorizing the Board of Trustees of the Employees Retirement System to purchase a site and erect a building for such system, etc.

S. B. No. 31, A bill to be entitled "An Act relating to the sale at retail of imported fresh meats; requiring that signs be posted and labels be used to give notice that imported meats are sold; providing a penalty for violations of this Act; providing for severability; and declaring an emergency."

Reports of Standing Committees

Senator Parkhouse submitted the following report:

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred S. B. No. 108, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

PARKHOUSE, Chairman.

Senator Hazlewood submitted the following reports:

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 367, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to which was referred S. B. No. 294, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred S. B. No. 233, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred S. B. No. 247, have had the same under consideration, and we are instructed to report it back to the Sen-

ate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance, to which was referred H. B. No. 122, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Senator Creighton submitted the following reports:

Austin, Texas,
March 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred S. B. No. 261, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

CREIGHTON, Chairman.

Austin, Texas,
March 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred S. B. No. 267, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,
March 8, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred S. B. No. 237, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Ratliff submitted the following report:

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 352, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the attached committee substitute pass, and be printed.

RATLIFF, Chairman.

C. S. S. B. No. 352 was read the first time.

Senate Bill 108 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 108 was ordered not printed.

Special Notice on Senate Joint Resolution 6

Senator Moore gave notice that he would on Monday, March 15, 1965, move to Call from Table S. J. R. No. 6.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committees indicated:

By Senator Hightower:

S. B. No. 368, A bill to be entitled "An Act to provide improvement of child welfare services; amending Article 2330, Revised Civil Statutes of Texas, 1925, so as to include within the definition of the term "dependent child" or "neglected child" children under eighteen years of age; amending Section 1 of Chapter 177, Acts of the 42nd Legislature, Regular Session, 1931, as amended (codified in Vernon's as Section 1 of Article 46a, Vernon's Civil Statutes) so as to list individuals authorized to adopt minor children; amending Section 12 of Chapter 204, Acts of the 48th Legislature, Regular Session, 1943, and subdivision (e) of Section 13-B of Chapter 204, Acts of the 48th Legislature, Regular Session, 1943, as added by Chapter 431, Acts of the 56th Legislature, Regular Session, 1959 (codified in Vernon's as Section 12 and subdivision (e) of Section 13-B of Article 2338-1, Vernon's Civil Statutes); making provisions relating to dependent children; and making other provisions relating to child welfare

services; providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hazlewood:

S. B. No. 369, A bill to be entitled "An Act exempting veterans of the Southeast Asia military action from payment of tuition and fees at state supported universities and colleges; amending Section 1, Chapter 6, Acts of the 43rd Legislature, 1st Called Session, 1933; and declaring an emergency."

To the Committee on Finance.

By Senator Parkhouse:

S. B. No. 370, A bill to be entitled "An Act relating to the definition of 'money, property, or other valuable thing' in penal statutes; amending Article 630, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Harrington:

S. B. No. 371, A bill to be entitled "An Act creating an additional County Court at Law in Jefferson County to be known as The County Court of Jefferson County at Law No. 2; providing the jurisdiction of such Court; providing the terms of said Court; providing for the appointment and election of a Judge for said Court and the method of filling vacancies; providing the Judges powers, duties, term of office and compensation; providing for the appointment and designation of the officers of the Court; providing the method of determining jurors; providing for the transferral of cases between the County Court of Jefferson County at Law and the County Court of Jefferson County at Law No. 2; providing for the appointment of Special Judges; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Watson:

S. B. No. 372, A bill to be entitled "An Act relating to the transfer of the management, government, and control of the Waco State Home and Corsicana State Home from the Texas Youth Council to the State Department of Public Welfare; providing a repealing and severability clause; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hightower:

S. B. No. 373, A bill to be entitled "An Act providing for the appointment of referees by the Juvenile and District Courts of Wichita County, Texas, in certain civil cases; providing for the qualifications of such referee; providing the instances in which such referees might be used; providing the duties and authority of such referees; providing for action by the court upon the report of such referee; providing for the compensation of such referee; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Message From the Governor

The following Message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
March 9, 1965.

To the Senate of the Fifty-Ninth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment: To be a member of the Texas Liquor Control Board, for a six-year term to expire November 15, 1969: Oliver R. Crawford of Jasper, Jasper County.

Respectfully submitted,
JOHN CONNALLY,
Governor of Texas

Committee Substitute Senate Bill 352 Ordered Not Printed

On motion of Senator Cole and by unanimous consent C. S. S. B. No. 352 was ordered not printed.

House Bills and Resolution on First Reading

The following bills and resolution received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 51, to Committee on Education.

H. B. No. 454, to Committee on Water and Conservation.

H. B. No. 165, to Committee on Education.

H. B. No. 159, to Committee on Counties, Cities and Towns.

H. B. No. 62, to Committee on Counties, Cities and Towns.

H. B. No. 92, to Committee on Jurisprudence.

H. B. No. 153, to Committee on Jurisprudence.

H. J. R. No. 38, to Committee on Constitutional Amendments.

Senate Bill 334 on Second Reading

Senator Krueger moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 334 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 334, A bill to be entitled "An Act relating to the creation, administration, powers, and duties, and financing of the Matagorda County Hospital District of Matagorda County, Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 334 on Third Reading

Senator Krueger moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 334 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

(Senator Moore in the Chair.)

Senate Resolution 243

Senator Cole offered the following resolution:

Whereas, On February 19, 1964, President Lyndon Baines Johnson appointed Mr. Nicholas Johnson United States Maritime Administrator.

Whereas, Nicholas Johnson is an honored graduate of the University of Texas, honored graduate in Law School, and having had an outstanding record as a lawyer in Houston and as a law clerk to Judge John R. Brown of the U. S. Court of Appeals for the 5th Circuit and at 30 years of age is the youngest man ever to hold the high position of United States Maritime Administrator.

Whereas, Nicholas Johnson has

outstandingly determined the policy and successfully supervised the carrying out thereof of the first world tour of the world's only atomic cargo and passenger ship, the N. S. Savannah.

Whereas, Over 1,300,000 visitors, including Kings and heads of nations, have enthusiastically and beneficially toured the N. S. Savannah.

Whereas, Nicholas Johnson has helped pave the way for a new era in United States leadership in world-wide shipping.

Whereas, Nicholas Johnson has assisted the President in showing to the world that atoms can be used for peace and for the benefit of mankind.

Whereas, Nicholas Johnson is now bringing the N. S. Savannah safely back to its home port in Galveston, Texas on March 10; now therefore, be it

Resolved, By the Senate of the State of Texas, That we commend Mr. Nicholas Johnson in bringing international recognition to Texas and the United States and promoting peace and prosperity throughout the world.

COLE
SCHWARTZ

The resolution was read and was adopted.

Senate Bill 107 on Third Reading

Senator Hardeman moved to suspend the regular order of business to take up S. B. No. 107 for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Krueger
Bates	Moore
Blanchard	Parkhouse
Calhoun	Ratliff
Cole	Reagan
Colson	Richter
Creighton	Rogers
Crump	Schwartz
Dies	Snelson
Hardeman	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Nays—4

Hall	Hazlewood
Harrington	Patman

The Presiding Officer then laid before the Senate on its third reading and final passage:

S. B. No. 107, A bill to be entitled "An Act to establish and adopt a Code of Criminal Procedure for the State of Texas by revising and rearranging the statutes of this State which pertain to the trial of criminal cases; and by making various changes in, omissions from, and additions to such statutes; defining the meaning of certain words and terms used in the Code; and fixing the effective date of the Code; validating certain proceedings had under existing prior statutes; repealing statutes and all laws or parts of laws in conflict with the Code; containing a severability clause; and declaring an emergency."

The bill was read third time.

Senator Kazen offered the following amendment to the bill:

Amend Section 15 of Article 42.12 of Section 1 of Senate Bill 107 by striking out the first paragraph and inserting in lieu thereof the following:

"Section 15. The Board is hereby authorized to release on parole with the approval of the Governor any person confined in any penal or correctional institution of this state, except persons under sentence of death, who has served one-fourth of the maximum sentence imposed; provided that in any case he may be paroled after serving fifteen years. All paroles shall issue upon order of the Board, duly adopted and approved by the Governor."

On motion of Senator Kazen and by unanimous consent the reading of the amendment was dispensed with and he explained the amendment.

(President in the Chair.)

The amendment by Senator Kazen to S. B. No. 107 was adopted by the following vote:

Yeas—24

Aikin	Harrington
Blanchard	Hazlewood
Calhoun	Herring
Colson	Hightower
Creighton	Kazen
Crump	Kennard
Dies	Krueger
Hall	Moore

Patman	Snelson
Reagan	Spears
Richter	Strong
Schwartz	Word

Nays—7

Bates	Ratliff
Cole	Rogers
Hardeman	Watson
Parkhouse	

The bill as amended was then finally passed.

Record of Votes

Senators Hazlewood, Reagan, Hall, Krueger, Harrington, Parkhouse and Patman asked to be recorded as voting "Nay" on the final passage of S. B. No. 107.

Change of Vote on S. B. No. 107

On motion of Senator Hall and by unanimous consent he will be shown as voting "Nay" on the motion to suspend the regular order of business on S. B. No. 107.

Report of Standing Committee

Senator Ratliff by unanimous consent submitted the following report:

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 371, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RATLIFF, Chairman.

Senate Bill 371 Ordered Not Printed

On motion of Senator Harrington and by unanimous consent S. B. No. 371 was ordered not printed.

Senate Bill 351 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 18, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 351 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 351, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Dallas County, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 351 on Third Reading

Senator Parkhouse moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 351 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Senate Bill 232 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 232 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 232, A bill to be entitled "An Act creating Dallas South Water and Sewer Authority, a conservation district, under Article XVI, Section 59 of the Constitution, comprising the territory contained in Cedar Hills, De Soto, Lancaster and Woodland Hills in Dallas County, and the City of Ferris in Ellis County, as the boundaries of each city existed on the 1st day of February, 1965, and contained in the City of Duncanville in Dallas County on the 25th day of

November, 1963, for the purpose of providing a source of water supply for municipal, domestic and industrial use and diverting, impounding, storing, treating and transporting the same; and for the purpose of constructing and operating facilities for the purpose of gathering, transporting, treating and disposing of sewage; etc., and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend subsection (a) of Section 8 of S. B. No. 232 by deleting therefrom the following words:

"The size of any said dam and reservoir shall be determined by the Board, taking into consideration probable future increases in water requirements, and the size of such dam shall not be limited by the amount of water initially authorized by the Texas Water Commission to be impounded therein."

The Committee Amendment was read and was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend S. B. No. 232 by adding to Section 15 a new sub-section to be as follows:

"(e) Article 7880-139 Vernon's Annotated Texas Statutes, as amended by Chapter 336, Acts of the Fifty-Seventh Legislature shall be applicable to the Authority."

The Committee Amendment was read and was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend the caption of S. B. No. 232 by adding immediately before the words "and declaring an emergency" the following:

"Providing that Article 7880-139 Vernon's Annotated Texas Statutes, as amended by Chapter 336, Acts of the Fifty-Seventh Legislature shall be applicable to the authority;"

The Committee Amendment was read and was adopted.

Senator Word offered the following amendment to the bill:

Amend Section 2 of S. B. No. 232 to read as follows:

"Section 2. The Authority shall contain all of the territory contained in the boundaries of the Cities of Cedar Hill, De Soto, Lancaster and Woodland Hills in Dallas County, as the boundaries of each city existed on the 1st day of February, 1965, and contained in the City of Duncanville in Dallas County on the 25th day of November, 1963. It is provided, however, that no invalidity in the fixing of such boundaries shall affect the boundaries of the territory contained in this authority, it being hereby found and determined that all of the territory and taxable property contained within the boundaries of said cities will be benefited by the works and improvements of the Authority."

**WORD
PARKHOUSE**

The amendment was read and was adopted.

Senator Word offered the following amendment to the bill:

Amend S. B. No. 232, Section 10(a) line 16 by adding the following after the comma following the word authority: "but limited to Dallas County."

The amendment was read and was adopted.

Senator Parkhouse offered the following amendment to the bill:

Amend Senate Bill No. 232, Section 5, Subsection (a) by striking out the first sentence and inserting in lieu the following:

"(a) A petition praying for such annexation signed by a majority of the resident qualified property tax-paying voters of the territory sought to be annexed shall be filed with the Board."

The amendment was read and was adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 232 on Third Reading

Senator Parkhouse moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 232 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson

Nays—1

Word

Senate Bill 144 on Second Reading

Senator Parkhouse moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 144 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 144, A bill to be entitled "An Act authorizing the further issuance of One Hundred Million Dollars (\$100,000,000) in Texas Water Development Bonds; providing for the use of the proceeds from the sale of such bonds; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 144 on Third Reading

Senator Parkhouse moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 144 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Senate Bill 53 on Second Reading

Senator Bates moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 53 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 53, A bill to be entitled "An Act amending Chapter 146, Acts of the Fifty-eighth Legislature, Regular Session, 1963 (compiled as Ar-

ticle 2619a, Vernon's Texas Civil Statutes), so as to add a new Section 3a conferring on the Board of Regents of Pan American College the power of eminent domain, providing for severability; and declaring an emergency."

The bill was read second time.

Senator Bates offered the following Committee Amendment to the bill:

Amend Senate Bill 53 by adding a new paragraph at the end of Section 1 to read as follows:

"Section 3b. That in the event it becomes necessary to exercise the power of eminent domain, the amount of and character of interest in land and easements thus to be acquired shall be determined by the Board of Regents; provided, however, that, as against persons, firms and corporations or receivers or trustees thereof, having the power of eminent domain, the fee title may not be condemned, but the District may condemn only an easement."

The Committee Amendment was read and was adopted.

On motion of Senator Bates and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 53 on Third Reading

Senator Bates moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bates	Hightower
Blanchard	Kazen
Calhoun	Kennard
Cole	Krueger
Colson	Moore
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Hall	Reagan
Harrington	Richter
Hazlewood	Rogers

Schwartz	Strong
Snelson	Watson
Spears	Word

Absent—Excused

Hardeman

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

Senate Bill 263 on Second Reading

Senator Herring moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 263 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 263, A bill to be entitled "An Act to amend Section 5 of H. B. No. 503 of the Acts of the Regular Session of the Fiftieth Legislature, providing for more representative members of the Council to include representatives of non-governmental organizations, and of public agencies concerned with the operation, construction, or utilization of hospitals; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 263 on Third Reading

Senator Herring moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 263 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

Absent

Hardeman

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Creighton
Bates	Crump
Blanchard	Dies
Calhoun	Hall
Cole	Hardeman
Colson	Harrington

Hazlewood	Reagan
Herring	Richter
Hightower	Rogers
Kazen	Schwartz
Kennard	Snelson
Krueger	Spears
Moore	Strong
Parkhouse	Watson
Patman	Word
Ratliff	

Senate Bill 217 on Second Reading

Senator Herring moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 217 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 217, A bill to be entitled "An Act authorizing certain members of the 57th Legislature to become members of the retirement system for state employees; amending Subsection B, Section 3, Chapter 352, Acts of the 50th Legislature, 1947, as amended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 217 on Third Reading

Senator Herring moved that Senate Rules 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 217 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Ratliff
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Welcome Resolutions

S. R. No. 240—By Senator Krueger: Extending welcome to students and sponsor of the Junior and Senior Classes of the East Bernard High School.

S. R. No. 242—By Senator Watson: Extending welcome to W. E. Wade of Temple.

S. R. No. 244—By Senator Spears: Extending welcome to students and sponsors of the Government and Legislative classes at St. Mary's and Our Lady of the Lake College in San Antonio.

S. R. No. 245—By Senator Schwartz: Extending welcome to Susan and Martha Nabors and Maura Mason.

Adjournment

On motion of Senator Hightower the Senate at 12:05 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Report of Standing Committee

Senator Hardeman submitted the following report:

Austin, Texas,
March 9, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 31, "An Act relating to the sale at wholesale or retail of imported fresh meats; requiring that signs be posted and labels be used to give notice that imported meats are sold; providing a penalty for violations of this Act; providing for severability; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

March 9, 1965

S. B. No. 31
S. C. R. No. 17

In Memory of
Frank Lawrence Ehrle

Senator Rogers offered the following resolution:

(Senate Resolution 241)

Whereas, On March 1, 1965, in the passing of Honorable Frank Lawrence Ehrle of Childress, Texas, son and grandson of pioneer Childress County settlers, the State lost one of its most highly respected business and civic leaders; and

Whereas, Mr. Ehrle was born November 30, 1908, in Willard, New Mexico, and came to Childress as an infant with his parents, the late Mr. and Mrs. L. G. Ehrle. He was married October 3, 1935, to the former Elma Hinds, in Perryton; and

Whereas, Mr. Ehrle, a long-time restaurateur and caterer for large civic and other functions, was a real estate agent, a rancher and had owned and operated grocery stores and restaurants and had been a hotel manager during his business life; and

Whereas, He was a member of the Holy Angels Catholic Church and was chairman of the Childress County Historical Survey Committee at the time of his death. He had served as a member of the State Board for Egg Marketing and Producers Committee as well as chairman for a number of Chamber of Commerce and Board of City Development Committees over the past years; and

Whereas, It is the desire of the Senate of the 59th Legislature to recognize the leadership of Mr. Ehrle and to express its sympathy to his devoted wife, Mrs. Elma Ehrle; his two fine sons, Will of Dallas, a former distinguished and highly respected member of the House of Representatives of Texas, and Frank Lawrence, Jr., senior law student at Southern Methodist University; his three grandchildren; his brother, S. L. Ehrle of Tulsa; and his father-in-law and mother-in-law, Reverend and Mrs. W. C. Hinds of Abilene; now, therefore, be it

Resolved, By the Senate of Texas, That a page in the Journal be set aside in memory of Frank Lawrence Ehrle, that copies of this resolution be sent to the members of the family, and when the Senate adjourns today it do so in honor of this outstanding and beloved citizen.

ROGERS
HARDEMAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Crump, Dies, Hall, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Herring and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted by a rising vote of the Senate.